

PTO/SB/30 (08-00)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/801,933
Filing Date	March 7, 2003
First Named Inventor	Bookser, et al
Group Art Unit	1624
Examiner Name	T. McKenzie
Attorney Docket Number	45198.00042.RCE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_
- iii. ☐ Other \_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other : Interview Summary; Reference Article.

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other \_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2613
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Any additional fees required.
- b. ☐ Check in the amount of \$ \_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Diana L. Bush, Ph.D., Esq.	Registration No. (Attorney/Agent)	51,109
Signature	<i>Diana L. Bush</i>	Date	5/27/03
			May 27, 2003

06/06/2003 PSTANBAC 00000002 502613 09801932 CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print / Type)	Will C. Youkel	Date	5/27/03
Signature	<i>Will C. Youkel</i>		

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Paul, Hastings, Jan fsky & Walker LLP  
12390 El Camino Real, San Diego, CA 92130  
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Paul Hastings

**FACSIMILE TRANSMISSION**

**from:** Diana L. Bush, Ph.D., Esq. **facsimile:** (858) 720-2555 **telephone:** (858) 720-2885 **initials:** DLB4

**client name:** Metabasis Therapeutics, Inc. **client matter number:** 45198.00042.RCE  
**date:** May 27, 2003 **pages (with cover):** 75

**to:** Examiner T. McKenzic **company/office:** USPTO - Group Art Unit 1624 **facsimile:** (703) 872-9307 **telephone:** (703) 308-0198

**comments:**

Re: U. S. Application No. 09/801,933  
*Novel Aryl Fructose-1,6-Bisphosphatase Inhibitors*  
Filed: March 7, 2001  
Our Docket No. 45198.00042.RCE

**FAX RECEIVED**

**MAY 28 2003**

**GROUP 1600**

Please find attached the following documents:

1. Request for Continued Examination (RCE) Transmittal
2. Amendment and Remarks & Petition for Extension of Time;
3. Pending Claims;
4. Declaration of Mark D. Erion Pursuant to 37 C.F.R. § 1.132;
5. Interview Summary; and
6. Reference Article, "Kinetics and Mechanism of the Aminolysis of Methyl 4-Nitrophenyl, Methyl 2,4-Dinitrophenyl, and Phenyl 2,4-Dinitrophenyl Carbonates," *J. Org. Chem.* 2002, 67, 8911-8916.

**OFFICE**

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Patent  
45198.00042.RCE**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants: Bookser *et al.*

Serial No.: 09/801,933

Filed: March 7, 2001

Title: NOVEL ARYL FRUCTOSE-1,6-  
BISPHOSPHATASE INHIBITORS

Group Art Unit: 1624

Examiner: T. McKenzie

Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Please find attached the following documents:

1. Request for Continued Examination (RCE) Transmittal
2. Amendment and Remarks & Petition for Extension of Time;
3. Pending Claims;
4. Declaration of Mark D. Erion Pursuant to 37 C.F.R. § 1.132;
5. Interview Summary;

**CERTIFICATE OF TRANSMISSION**  
(37 C.F.R. §1.8)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

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JILL C. YOUKEL  
Name of Person Transmitting Paper  
Jill C. Youkel  
Signature of Person Transmitting Paper

Interview Summary  
Serial No. 09/801,933  
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6. Reference Article, "Kinetics and Mechanism of the Aminolysis of Methyl 4-Nitrophenyl, Methyl 2,4-Dinitrophenyl, and Phenyl 2,4-Dinitrophenyl Carbonates," *J. Org. Chem.* 2002, 67, 8911-8916.

The Commissioner is hereby authorized to charge any and all fees associated with this filing, or to credit any overpayment to Deposit Account Number 50-2613.

Respectfully Submitted,

Date: 5/27/03

By: Diana L. Bush  
Diana L. Bush, Ph.D.  
Reg. No. 51,109

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